

## REMARKS

Claims 1-24 are pending in the application. Claims 1-24 stand rejected.

Independent claims have been amended to clarify the patentable subject matter. Support for the amended feature is found, for example, on page 15, line 6-12, and Figs. 1, 3 of the instant specification. No new matter has been introduced by the requested amendment to Applicant's claims.

The amended feature in Applicant's claims clarifies that subnetworks include multiple communication apparatus, and individual subnetworks perform communication using different communication schemes (i.e., all of the subnetworks do not use the same communication technology or topology). As further recited in Applicant's claims, the information network managing apparatus uses the QoS capability information collected from different subnetworks which use different communication technologies, in creating QoS capability managing view, and selects a subnetwork having a QoS capability which is requested end-to-end.

Claims 1 – 24 are rejected under 35 USC 102(e) as being anticipated by U.S. Patent 6,570,867 (Robinson et al). Applicant respectfully traverses the rejections for at least the following reasons.

Robinson teaches a cost-efficient and effective framework for network management of a telecommunications network. According to Robinson, the management is done within a framework of a single telecommunication network by monitoring the network-level concepts of routes and paths. Among other things, Robinson does not disclose subnetworks within a telecommunications network.

In the Office Action, Robinson's network elements 24 are analogized to Applicant's element managers, and Robinson's route and path management (RPM) 20 is analogized to Applicant's network manager in claim 1. In this case, however, Robinson fails to teach or

suggest Applicant's plurality of subnetworks in correspondence with the element managers, as recited in claim 1 and shown in Fig. 1, for example, of the instant application. Robinson also fails to disclose "at least one subnetwork of the plurality of the subnetworks having a different technology or a different topology than other subnetworks of the plurality of subnetworks" as recited in claim 1 and shown in Fig. 1, for example, of the instant application.

According to another possible analysis of Robinson, network elements 24 are not analogous to Applicant's subnetworks. In Robinson, "network elements 24 are devices such as the edge nodes 12, network nodes 11 and their associated routers and interfaces" (see col. 5, lines 6 – 8 of the patent). According to Applicant, however, each subnetwork, such as 3-1, 3-2, 3-3 ... or 3-N (see Fig. 1 of the application), is defined in the specification as a domain that constitutes a communication network. The plurality of such domains or subnetworks form an entire communication network as illustrated in Fig. 1 of the application. It is thus apparent that Robinson's network elements 24 cannot be analogized to Applicant's subnetworks. The patent is, therefore, deficient in teaching this feature of the present invention, as recited in claim 1.

Furthermore, Applicant recites "at least one subnetwork of the plurality of the subnetworks having a different technology or a different topology than other subnetworks of the plurality of subnetworks" in claim 1.

Nowhere does Robinson teach this feature of the present invention: Robinson's network elements are not subnetworks as discussed above, and in addition each network element in Robinson has the same technology and topology. Hence, this feature of the present invention is not taught by Robinson.

According to MPEP section 2131, to anticipate a claim, the reference must teach every element of the claim. Since several elements of the present invention are clearly missing in the

reference, it is respectfully submitted that Robinson does not anticipate (or render obvious) Applicant's claim 1. Withdrawal of the rejection is respectfully requested.

Claims 2, 4 and 5 depend, either directly or indirectly, from independent claim 1 and inherit all of its features. Since claim 1 is allowable as discussed above, at least for those reasons claims 2, 4 and 5 are also allowable by virtue of their dependency. Withdrawal of the rejections of claims 2, 4 and 5 is, therefore, earnestly solicited.

Applicant essentially repeats the above arguments with respect to independent claims 2 – 15, 19, 22 and 24 to submit that it is not anticipated by Robinson. Withdrawal of the rejections is, therefore, respectfully requested.


Claims 16 – 18, 20, 21 and 23 depend, either directly or indirectly, from independent claims and inherit all of their features. Since independent claims are allowable, at least for those reasons claims 16 – 18, 20, 21 and 23 are also allowable by virtue of their dependency. Withdrawal of the rejections of claims 16 – 18, 20, 21 and 23 is, therefore, earnestly solicited.

An earnest effort has been made to be fully responsive to the Examiner's rejections. In view of the above remarks, it is believed that the present application is in condition for allowance, which action is earnestly solicited. However, if this application is not considered to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

We respectfully request that all fees relating to this application be charged to Deposit

Acct. No. 50-1290.

Respectfully submitted,

  
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